

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL NO. 2804

Case No. 17-MD-2804

THIS DOCUMENT RELATES TO:

Judge Dan Aaron Polster

Jennifer Artz, et al. v. Endo Health Solutions Inc., et al., Case No. 1:19-OP-45459

Michelle Frost v. Endo Health Solutions Inc., et al., Case No. 1:18-OP-46327

Salmons v. Purdue Pharma L.P., et al., Case No. 1:18-OP-45268

**ASSERTIO THERAPEUTICS, INC. (f/k/a DEPOMED INC.)’S MOTION FOR LEAVE
TO FILE UNDER SEAL ASSERTIO’S OPPOSITION TO NAS GUARDIANS’
MOTION FOR CLASS CERTIFICATION AND ACCOMPANYING EXHIBITS**

Defendant Assertio Therapeutics, Inc. (f/k/a Depomed, Inc.) (“Assertio”) respectfully moves this Court for leave to file under seal unredacted versions of its Opposition to NAS Guardians’ Motion for Class Certification (the “Opposition”) and exhibits attached thereto (Docs. 3522 and 3522-1).

Prior to Assertio’s filing the Opposition and supporting exhibits, liaison counsel for Defendants contacted Special Master Cohen regarding the proper procedure for filing documents containing potentially confidential information, including Plaintiffs’ personal and medical information. Special Master Cohen directed Defendants to concurrently file redacted copies with the Court and email unredacted copies to the Special Master and Plaintiffs’ counsel, and then file unredacted copies under seal if Plaintiffs determined the medical information should remain confidential. Plaintiffs have reviewed Assertio’s Opposition and the exhibits attached thereto and

request that the information contained therein remain confidential. Sealing the documents will also ensure compliance with Case Management Order No. 2: Protective Order. *See* Doc. 441.

Accordingly, Assertio seeks leave of the Court to file unredacted versions of the Opposition and the following exhibits under seal:

- Exhibit B: Child R.R. Birth Certificate
- Exhibit C: Child C.G. Birth Certificate
- Exhibit D: Child E.G. Birth Certificate
- Exhibit E: Excerpts from the Sept. 1, 2020 Deposition of Ashley Poe
- Exhibit F: Child D.F. Medical Records
- Exhibit G: Excerpts from the Jan. 24, 2020 Deposition of Child D.F.'s Birth Mother
- Exhibit H: Fact Sheet of Michelle Frost
- Exhibit I: Excerpts from the Feb. 10, 2020 Deposition of Michelle Frost

Date: October 16, 2020

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ Kevin M. Sadler

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ATTORNEYS FOR DEFENDANT ASSERTIO
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CERTIFICATE OF SERVICE

I certify that I caused a true and correct copy of the foregoing document to be electronically filed on October 16, 2020, which will transmit service electronically through the Court's CM/ECF system to all counsel of record.

/s/ Kevin M. Sadler

Kevin M. Sadler